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Index















# THE GENERAL STATUTES OF NORTH CAROLINA

**Index to Recompiled and Replacement Volumes  
and Supplements through 1960**

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PREPARED UNDER THE SUPERVISION OF THE DEPARTMENT OF JUSTICE  
OF THE STATE OF NORTH CAROLINA

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Indexed, under the Supervision of the Department of Justice,  
by the Editorial Staff of the Publishers

*Under the Direction of*

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**Volume 4B**

**1962 REPLACEMENT VOLUME**

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## Scope of Volumes 4B and 4C

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### **Index:**

Index to the General Statutes of North Carolina as contained in recompiled volumes 1A through 2A, replacement volumes 2B through 3B, recompiled volume 3C and 1959 supplements thereto; also index to the Constitution of North Carolina, the Constitution of the United States and the Appendix appearing in recompiled volume 4A and 1959 cumulative supplement. The index covering later supplements to such recompiled and replacement volumes is contained in the pocket parts to replacement volumes 4B and 4C.





## Preface

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Volume 4 of the General Statutes of North Carolina of 1943 was replaced in 1955 by recompiled volumes 4A and 4B. Volume 4B contained the index, while the other parts of original volume 4 appear in volume 4A. In addition, the Constitution of North Carolina and the Constitution of the United States, appearing under Division I in original volume 1, have been transferred to Division XIX-A in recompiled volume 4A.


Present volumes 4B and 4C replace recompiled volume 4B and contain the index to the General Statutes, the constitutions of North Carolina and the United States and the Appendix, as contained in recompiled or replacement volumes and supplements issued prior to 1961. No distinction is made in the index between sections appearing in the bound volumes and those appearing in the pocket parts.

In making a reference from one index heading to another, or from one subheading to another, section numbers have been included wherever practical. Such numbers usually are those of the sections containing the main, general treatment of the subject and are not necessarily exhaustive. The searcher should consult the heading or subheading to which reference is made, for the complete and detailed indexing.

These replacement volumes have been prepared and published under the supervision of the Department of Justice of the State of North Carolina. The members of the North Carolina Bar are requested to communicate any defects they may find in the General Statutes, and any suggestions they may have for improving them, to the Department, or to The Michie Company, Law Publishers, Charlottesville, Virginia.

THOMAS WADE BRUTON,  
*Attorney General.*

August, 1962



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Property of married women secured to them, Const. N. C., art. X, § 6.

**Exemptions From Taxation**, Const. N. C., art. V, §§ 1, 3, 5.

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## Fees.

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## Franchises.

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**Freedom of the Press**, Const. N. C., art. I, § 20.

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Adjournment, Const. N. C., art. II, § 22.

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## Appeals.

Power of general assembly to provide system of appeals, Const. N. C., art. IV, § 12.

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Election for members of the general assembly, Const. N. C., art. II, § 27.

Each house judge of election, Const. N. C., art. II, § 22.

Election of officers, Const. N. C., art. II, § 9.

Elections to be viva voce, Const. N. C., art. VI, § 6.

Entails, Const. N. C., art. II, § 15.

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Pay of members and officers, Const. N. C., art. II, § 28.

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Forfeitures, Const. N. C., art. II, § 29.

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**General Assembly—Cont'd**

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**Municipal corporations.**

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**Officers.**

Election, Const. N. C., art. II, § 9.

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Pay of members and officers, Const. N. C., art. II, § 28.

Senate, Const. N. C., art. II, § 20.

Subsistence and travel allowance, Const. N. C., art. II, § 28.

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Pay of members and officers, Const. N. C., art. II, § 28.

Powers of the general assembly, Const. N. C., art. II, §§ 22, 29.

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President of the senate, Const. N. C., art. II, § 19.

Private laws, Const. N. C., art. II, §§ 10 to 12, 29.

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Qualifications for representatives, Const. N. C., art. II, § 8.

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**General Assembly—Cont'd**

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Retirement system for teachers and state employees.

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Separation of powers, Const. N. C., art. I, § 8.

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Subsistence and travel allowance, Const. N. C., art. II, § 28.

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Thirty days' notice shall be given anterior to passage of private laws, Const. N. C., art. II, § 12.

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Vacancies, Const. N. C., art. II, § 13.

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**General Warrants**, Const. N. C., art. I, § 15.

**Government**, Const. N. C., art. I, § 2.

Allegiance to the United States government, Const. N. C., art. I, § 5.

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Seat of government, Const. N. C., art. XIV, § 6.

**Governor**, Const. N. C., art. III, §§ 1 to 18.

Absence from state, Const. N. C., art. III, § 12.

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**CONSTITUTION OF NORTH CAROLINA—Cont'd**  
**Governor—Cont'd**  
 Appointments.  
   Governor to make appointments, Const. N. C., art. XIV, § 5.  
 Board of education.  
   Appointment of members, Const. N. C., art. IX, § 8.  
 Commander-in-chief, Const. N. C., art. III, § 8; art. XII, § 3.  
 Commissions, Const. N. C., art. III, § 16.  
 Commutation of sentence by governor, Const. N. C., art. III, § 6.  
 Compensation, Const. N. C., art. III, § 15.  
 Council of state, Const. N. C., art. III, § 14.  
   Extra sessions of general assembly, Const. N. C., art. III, § 9.  
 Disability, Const. N. C., art. III, § 12.  
 Duties, Const. N. C., art. III, § 5.  
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 Grants, Const. N. C., art. III, § 16.  
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 Justices of the peace.  
   Governor to appoint justices, Const. N. C., art. VII, § 10.  
 Lieutenant governor, Const. N. C., art. III, §§ 1 to 3, 11, 12, 15. See within this title, "Lieutenant Governor."  
 Militia.  
   Commander-in-chief, Const. N. C., art. III, § 8; art. XII, § 3.  
   Oath, Const. N. C., art. III, § 4.  
   Pardons, Const. N. C., art. III, § 6.  
   Paroles, Const. N. C., art. III, § 6.  
   Public officers.  
   Appointment, Const. N. C., art. III, §§ 10, 13; art. XIV, § 5.  
   Reports, Const. N. C., art. III, § 7.  
   Qualifications, Const. N. C., art. III, § 2.  
   Reports, Const. N. C., art. III, § 7.  
   Reprieves, Const. N. C., art. III, § 6.  
   Salary, Const. N. C., art. III, § 15.  
   Seal of state, Const. N. C., art. III, § 16.  
 State board of education.  
   Appointment of members, Const. N. C., art. IX, § 8.  
 Succession to office, Const. N. C., art. III, § 12.  
 Term of office, Const. N. C., art. III, § 1.  
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**CONSTITUTION OF NORTH CAROLINA—Cont'd**  
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   Remedy without delay for restraint of liberty, Const. N. C., art. I, § 18.  
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 Homestead, Const. N. C., art. X, §§ 2 to 5, 8. See within this title, "Exemption From Execution, Attachment and Garnishment."  
 House of Representatives, Const. N. C., art. II, § 1.  
   Apportionment, Const. N. C., art. II, §§ 5, 6.  
   Election, Const. N. C., art. II, § 27.  
   Impeachment, Const. N. C., art. IV, § 4.  
   Number of representatives, Const. N. C., art. II, § 5.  
   Officers, Const. N. C., art. II, § 18.  
   Pay of members, Const. N. C., art. II, § 28.  
   Qualifications for representatives, Const. N. C., art. II, § 8.  
   Ratio of representation, Const. N. C., art. II, § 6.  
   Subsistence and travel allowance, Const. N. C., art. II, § 28.  
   Terms of office, Const. N. C., art. II, §§ 25, 27.  
   Travel allowance, Const. N. C., art. II, § 28.  
 Houses of Correction, Const. N. C., art. XI, § 4.  
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 Immigration.  
   Department of agriculture, immigration and statistics, Const. N. C., art. III, § 17.  
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   Court for the trial of impeachments, Const. N. C., art. IV, §§ 2, 3.  
   Governor, Const. N. C., art. III, § 12; art. IV, § 4.  
   House of representatives, Const. N. C., art. IV, § 4.  
   Judgment, Const. N. C., art. IV, § 3.  
   Power of impeaching, Const. N. C., art. IV, § 4.  
   Senate, Const. N. C., art. IV, §§ 3, 4.  
   Sentence and punishment, Const. N. C., art. IV, § 3.  
   Two-thirds vote, Const. N. C., art. IV, § 4.  
 Imprisonment for Debt, Const. N. C., art. I, § 16.

**CONSTITUTION OF NORTH CAROLINA—Cont'd**

**Inalienable Rights**, Const. N. C., art. I, § 1.

**Income Taxes**, Const. N. C., art. V, § 3.

**Indictments, Informations and Presentments.**

Necessity for indictment or presentment, Const. N. C., art. I, § 12.

Prior crimes, Const. N. C., art. XIV, § 1.

Right to be informed of accusation, Const. N. C., art. I, § 11.

Waiver, Const. N. C., art. I, § 12.

**Inebriates and Idiots**, Const. N. C., art. XI, §§ 9, 10.

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**Insurance.**

Commissioner, Const. N. C., art. III, §§ 1, 3, 13 to 15. See within this title, "Insurance Commissioner."

Exemption from execution, attachment and garnishment.

Insurance on husband's life for benefit of wife and children, Const. N. C., art. X, § 7.

**Insurance Commissioner.**

Compensation, Const. N. C., art. III, § 15.

Council of state, Const. N. C., art. III, § 14.

Death, Const. N. C., art. III, § 13.

Disability, Const. N. C., art. III, § 13.

Duties, Const. N. C., art. III, § 13.

Election, Const. N. C., art. III, §§ 1, 3, 13.

Resignation, Const. N. C., art. III, § 13.

Term of office, Const. N. C., art. III, § 1.

Vacancy in office, Const. N. C., art. III, § 13.

**Insurrection.**

Debts, Const. N. C., art. I, § 6; art. V, § 4; art. VII, § 12.

Militia, Const. N. C., art. XII, § 3.

**Intermarriage of Whites and Negroes Prohibited**, Const. N. C., art. XIV, § 8.

**Internal Government of the State**, Const. N. C., art. I, § 3.

**Involuntary Servitude**, Const. N. C., art. I, § 33.

**Judges**, Const. N. C., art. IV, §§ 11, 21.

Assignment, Const. N. C., art. IV, § 11.

Diminution of compensation, Const. N. C., art. IV, § 18.

Election, Const. N. C., art. IV, § 21.

Removal of judges of the various courts for inability, Const. N. C., art. IV, § 31.

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**CONSTITUTION OF NORTH CAROLINA—Cont'd**

**Judges—Cont'd**

Rotation in judicial districts, Const. N. C., art. IV, § 11.

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Terms of office, Const. N. C., art. IV, § 21.

Vacancies, Const. N. C., art. IV, § 25.

**Judicial Department**, Const. N. C., art. IV, §§ 1 to 33.

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**Jurisdiction.**

Courts inferior to supreme court, Const. N. C., art. IV, § 12.

Justices of the peace, Const. N. C., art. IV, § 27.

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**Jury.**

Pay of jurors.

Power of general assembly, Const. N. C., art. II, § 29.

Right of trial by jury, Const. N. C., art. I, §§ 13, 19; art. IV, §§ 1, 13.

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**Justices of the Peace.**

Appeals, Const. N. C., art. IV, § 27.

Appointment, Const. N. C., art. II, § 29; art. VII, § 10.

Article seven of the constitution abrogated, § 7-112.

Division of judicial powers, Const. N. C., art. IV, § 2.

Eligibility, Const. N. C., art. XIV, § 7.

Governor to appoint justices, Const. N. C., art. VII, § 10.

Jurisdiction of justices of the peace, Const. N. C., art. IV, § 27.

Jury trial, Const. N. C., art. IV, § 27.

Municipal corporations, Const. N. C., art. VII, § 5.

Private or special legislation, Const. N. C., art. II, § 29.

Vacancies in office of justices, Const. N. C., art. IV, § 28.

**Justices of the Supreme Court**, Const. N. C., art. IV, §§ 6, 21.

**Labor.**

Commissioner of labor, Const. N. C., art. III, §§ 1, 3, 13 to 15. See within this title, "Commissioner of Labor."

Private or special legislation, Const. N. C., art. II, § 29.

**Laborers' Liens**, Const. N. C., art. X, § 4; art. XIV, § 4.

**Law of the Land**, Const. N. C., art. I, § 17.

**Laws.**

Suspension of laws, Const. N. C., art. I, § 9.

**CONSTITUTION OF NORTH CAROLINA—Cont'd****Laws—Cont'd**

What laws are, and shall be, in force, Const. N. C., art. IV, § 19.

**Legislative Department**, Const. N. C., art. II, §§ 1 to 31. See within this title, "General Assembly."

**Legislative, Executive and Judicial Powers Distinct**, Const. N. C., art. I, § 8.

**Liberty.**

Inalienable rights, Const. N. C., art. I, § 1.

Persons restrained of liberty, Const., N. C., art. I, § 18.

Recurrence to fundamental principles, Const. N. C., art. I, § 29.

Religious liberty, Const. N. C., art. I, § 26.

**Liens.**

Laborers' liens, Const. N. C., art. X, § 4; art. XIV, § 4.

Mechanics' liens, Const. N. C., art. X, § 4; art. XIV, § 4.

**Lieutenant Governor**, Const. N. C., art. III, §§ 1, 2, 11, 12, 15.

Age, Const. N. C., art. III, § 2.

Compensation, Const. N. C., art. III, § 15.

Duties, Const. N. C., art. III, § 11.

Election, Const. N. C., art. III, §§ 1, 3.

Impeachment of governor, Const. N. C., art. III, § 12.

Inability to preside over senate, Const. N. C., art. III, § 12.

President of the senate, Const. N. C., art. II, § 19.

Qualifications, Const. N. C., art. III, § 2.

Salary, Const. N. C., art. III, § 15.

State board of education, Const. N. C., art. IX, §§ 8, 9.

Succession to office of governor, Const. N. C., art. III, § 12.

Term of office, Const. N. C., art. III, § 1.

Vacancy in office of governor, Const. N. C., art. III, § 12.

**Manufacturing.**

Private or special legislation, Const. N. C., art. II, § 29.

**Marriage.**

Intermarriage of whites and negroes prohibited, Const. N. C., art. XIV, § 8.

**Married Women.**

Powers of attorney, Const. N. C., art. X, § 6.

Separate property of married women, Const. N. C., art. X, § 6.

**CONSTITUTION OF NORTH CAROLINA—Cont'd**

**Mechanics' Liens**, Const. N. C., art. X, § 4; art. XIV, § 4.

Homestead exemption, Const. N. C., art. X, § 4.

**Militia**, Const. N. C., art. I, § 24; art. XII, §§ 1 to 4.

Arms, Const. N. C., art. XII, § 2.

Commander-in-chief, Const. N. C., art. III, § 8; art. XII, § 3.

Compensation, Const. N. C., art. XII, § 2.

Discipline, Const. N. C., art. XII, § 2.

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Exemptions, Const. N. C., art. XII, § 4.

Governor.

Commander-in-chief, Const. N. C., art. III, § 8; art. XII, § 3.

Holding more than one office, Const. N. C., art. XIV, § 7.

Organizing, etc., Const. N. C., art. XII, § 2.

Quartering soldiers, Const. N. C., art. I, § 36.

Who are liable to militia duty, Const. N. C., art. XII, § 1.

**Mines and Minerals**, Const. N. C., art. II, § 29.

**Miscegenation**, Const. N. C., art. XIV, § 8.

**Misdemeanors.**

Petty misdemeanors, Const. N. C., art. I, § 13.

Special courts in cities, Const. N. C., art. IV, § 14.

Trial and appeal, Const. N. C., art. I, § 13.

**Monopolies**, Const. N. C., art. I, § 31.

**Municipal Corporations**, Const. N. C., art. VII, §§ 1 to 13; art. VIII, § 4.

Capitation tax, Const. N. C., art. V, § 1.

Change of name, Const. N. C., art. II, § 29.

Charters to remain in force until legally changed, Const. N. C., art. VII, § 11.

**Debt.**

Debts in aid of the rebellion not to be paid, Const. N. C., art. VII, § 12.

Limitation on contracting debt, Const. N. C., art. V, § 4.

No debt or loan except by a majority of voters, Const. N. C., art. VII, § 7.

General laws, Const. N. C., art. VIII, § 4.

Name, Const. N. C., art. II, § 29.

Ordinances to remain in force until legally changed, Const. N. C., art. VII, § 11.

**CONSTITUTION OF NORTH CAROLINA—Cont'd****Municipal Corporations—Cont'd**

Organization of cities, towns, etc.,  
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Powers of general assembly over municipal corporations, Const. N. C.,  
art. VII, § 13.

Restricting power of taxation, etc.,  
Const. N. C., art. VIII, § 4.

Taxation, Const. N. C., art. V, § 5; art.  
VII, §§ 7, 12.

Exemption of property from taxation,  
Const. N. C., art. V, § 5.

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Const. N. C., art. VIII, § 4.

**Names**, Const. N. C., art. II, § 11.

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Holding other office, Const. N. C., art.  
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**Nuisances.**

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**Oaths.**

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II, § 24.

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constitution.

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**Orphans**, Const. N. C., art. XI, § 7.

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**Outlawry**, Const. N. C., art. I, § 17.

**Pardon**, Const. N. C., art. III, § 6.

**Paroles**, Const. N. C., art. III, § 6.

**Paupers**, Const. N. C., art. V, § 2; art.  
XI, § 7.

**Penal Institutions and Public Charities**,  
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**Penitentiary**, Const. N. C., art. XI, § 3.

**Perpetuities**, Const. N. C., art. I, § 31;  
art. II, § 15.

**Political Power**, Const. N. C., art. I, § 2.

**Political Societies.**

Secret political societies, Const. N. C.,  
art. I, § 25.

**Poll Tax**, Const. N. C., art. V, §§ 1, 2.

**Power of Attorney.**

Married women, Const. N. C., art. X,  
§ 6.

**Powers Not Delegated Remain With  
People**, Const. N. C., art. I, § 37.

**Presentment**, Const. N. C., art. I, § 12.

**Prisons and Prisoners.**

Commutation of sentence, Const. N.  
C., art. III, § 6.

**CONSTITUTION OF NORTH CAROLINA—Cont'd****Prisons and Prisoners—Cont'd**

Convict labor, Const. N. C., art. XI,  
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XI, § 2.

Disqualification for office, Const. N.  
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Farming out convicts, Const. N. C.,  
art. XI, § 1.

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Const. N. C., art. XI, § 6.

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Pardon, Const. N. C., art. III, § 6.

Paroles, Const. N. C., art. III, § 6.

Penal institutions to be self-support-  
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Penitentiary, Const. N. C., art. XI, § 3.

Persons restrained of liberty, Const.  
N. C., art. I, § 18.

Punishments, Const. N. C., art. XI, § 1.

Reprieve, Const. N. C., art. III, § 6.

Right to vote, Const. N. C., art. VI,  
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**Self-support.**

Penal institutions to be self-support-  
ing, Const. N. C., art. XI, § 11.

Separation of sexes, Const. N. C., art.  
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**Private Statutes**, Const. N. C., art. II, §§  
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Private or special legislation, Const.  
N. C., art. II, § 29.

**Public Officers.**

Amendments not to vacate existing  
offices, Const. N. C., art. IV, § 33.

Appointment by governor, Const. N.  
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Commissions, Const. N. C., art. III, §  
16.

Compensation, Const. N. C., art. II, §  
28; art. III, § 15; art. IV, § 18.

Corruption in office, Const. N. C., art.  
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Disqualification for office, Const. N. C.,  
art. VI, § 8; art. XI, § 1; art. XIV,  
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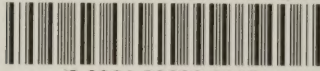








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